

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5637**

Chapter 298, Laws of 2001

57th Legislature  
2001 Regular Session

WATERSHED HEALTH MONITORING AND ASSESSMENT

EFFECTIVE DATE: 7/22/01

Passed by the Senate April 19, 2001  
YEAS 48 NAYS 0

~~BRAD OWEN~~  
President of the Senate

Passed by the House April 18, 2001  
YEAS 92 NAYS 0

~~FRANK CHOPP~~  
Speaker of the  
House of Representatives

~~CLYDE BALLARD~~  
Speaker of the  
House of Representatives

Approved May 14, 2001

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5637** as passed by the Senate and the House of Representatives on the dates hereon set forth.

~~TONY M. COOK~~

Secretary

FILED

May 14, 2001 – 3:24 p.m.

~~GARY LOCKE~~  
Governor of the State of Washington

Secretary of State  
State of Washington

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**SUBSTITUTE SENATE BILL 5637**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2001 Regular Session

**State of Washington**

**57th Legislature**

**2001 Regular Session**

**By** Senate Committee on Natural Resources, Parks & Shorelines (originally sponsored by Senators Jacobsen, Regala, Costa and Oke)

READ FIRST TIME 02/21/01.

AN ACT Relating to watershed health monitoring and assessments; adding a new section to chapter 90.82 RCW; adding a new section to chapter 77.85 RCW; and creating new sections.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** The legislature finds that a comprehensive program of monitoring is fundamental to making sound public policy and programmatic decisions regarding salmon recovery and watershed health. Monitoring provides accountability for results of management actions and provides the data upon which an adaptive management framework can lead to improvement of strategies and programs. Monitoring is also a required element of any salmon recovery plan submitted to the federal government for approval. While numerous agencies and citizen organizations are engaged in monitoring a wide range of salmon recovery and watershed health parameters, there is a greater need for coordination of monitoring efforts, for using limited monitoring resources to obtain information most useful for achieving relevant local, state, and federal requirements regarding watershed health and salmon recovery, and for making the information more accessible to those agencies and organizations implementing watershed health programs and projects. Regarding salmon recovery monitoring, the state

independent science panel has concluded that many programs already monitor indicators relevant to salmonids, but the efforts are largely uncoordinated or unlinked among programs, have different objectives, use different indicators, lack support for sharing data, and lack shared statistical designs to address specific issues raised by listing of salmonid species under the federal endangered species act.

Therefore, it is the intent of the legislature to encourage the refocusing of existing agency monitoring activities necessary to implement a comprehensive watershed health monitoring program, with a focus on salmon recovery. The program should: Be based on a framework of greater coordination of existing monitoring activities; require monitoring activities most relevant to adopted local, state, and federal watershed health objectives; and facilitate the exchange of monitoring information with agencies and organizations carrying out watershed health, salmon recovery, and water resources management planning and programs.

**NEW SECTION.** **Sec. 2.** A new section is added to chapter 90.82 RCW to read as follows:

In conducting assessments and other studies that include monitoring components or recommendations, the department and planning units shall implement the monitoring recommendations developed under section 3 of this act.

**NEW SECTION.** **Sec. 3.** A new section is added to chapter 77.85 RCW to read as follows:

(1) The monitoring oversight committee is hereby established. The committee shall be comprised of the directors or their designated representatives of:

- (a) The salmon recovery office;
- (b) The department of ecology;
- (c) The department of fish and wildlife;
- (d) The conservation commission;
- (e) The Puget Sound action team;
- (f) The department of natural resources;
- (g) The department of transportation; and
- (h) The interagency committee for outdoor recreation.

(2) The director of the salmon recovery office and the chair of the salmon recovery funding board, or their designees, shall cochair the committee. The cochairs shall convene the

committee as necessary to develop, for the consideration of the governor and legislature, a comprehensive and coordinated monitoring strategy and action plan on watershed health with a focus on salmon recovery. The committee shall invite representation from the treaty tribes to participate in the committee's efforts. In addition, the committee shall invite participation by other state, local, and federal agencies and other entities as appropriate. The committee shall address the monitoring recommendations of the independent science panel provided under RCW 77.85.040(7) and of the joint legislative audit and review committee in its report number 01-1 on investing in the environment.

(3) The independent science panel shall act as an advisor to the monitoring oversight committee and shall review all work products developed by the committee and make recommendations to the committee cochairs.

(4) A legislative steering committee is created consisting of four legislators. Two of the legislators shall be members of the house of representatives, each representing different major political parties, appointed by the co-speakers of the house of representatives. The other two legislators shall be members of the senate, each representing different major political parties, appointed by the president of the senate. The monitoring oversight committee shall provide briefings to the legislative steering committee on a quarterly basis on the progress that the oversight committee is making on the development of the coordinated monitoring strategy and action plan, and the establishment of an adaptive management framework. The briefings shall include information on how the monitoring strategy will be coordinated with other government efforts, expected benefits and efficiencies that will be achieved, recommended funding sources and funding levels that will ensure stable sources of funding for monitoring, and the efforts and cooperation provided by agencies to improve coordination of their activities.

(5) The committee shall make recommendations to individual agencies to improve coordination of monitoring activities.

(6) The committee shall:

(a) Define the monitoring goals, objectives, and questions that must be addressed as part of a comprehensive statewide salmon recovery monitoring and adaptive management framework;

(b) Identify and evaluate existing monitoring activities for inclusion in the framework, while ensuring data consistency and coordination and the filling of monitoring gaps;

(c) Recommend statistical designs appropriate to the objectives;

(d) Recommend performance measures appropriate to the objectives and targeted to the

appropriate geographical, temporal, and biological scales;

(e) Recommend standardized monitoring protocols for salmon recovery and watershed health;

(f) Recommend procedures to ensure quality assurance and quality control of all relevant data;

(g) Recommend data transfer protocols to support easy access, sharing, and coordination among different collectors and users;

(h) Recommend ways to integrate monitoring information into decision making;

(i) Recommend organizational and governance structures for oversight and implementation of the coordinated monitoring framework;

(j) Recommend stable sources of funding that will ensure the continued operation and maintenance of the state's salmon recovery and watershed health monitoring programs, once established; and

(k) Identify administrative actions that will be undertaken by state agencies to implement elements of the coordinated monitoring program.

(7) In developing the coordinated monitoring strategy, the committee shall coordinate with other appropriate state, federal, local, and tribal monitoring efforts, including but not limited to the Northwest power planning council, the Northwest Indian fisheries commission, the national marine fisheries service, and the United States fish and wildlife service. The committee shall also consult with watershed planning units under chapter 90.82 RCW, lead entities under this chapter, professional organizations, and other appropriate groups.

(8) The cochairs shall provide an interim report to the governor and the members of the appropriate legislative committees by March 1, 2002, on the progress made in implementing this section. By December 1, 2002, the committee shall provide a monitoring strategy and action plan to the governor, and the members of the appropriate legislative committees for achieving a comprehensive watershed health monitoring program with a focus on salmon recovery. The strategy and action plan shall document the results of the committee's actions in addressing the responsibilities described in subsection (6) of this section. In addition, the monitoring strategy and action plan shall include an assessment of existing state agency operations related to monitoring, evaluation, and adaptive management of watershed health and salmon recovery, and shall recommend any operational or statutory changes and funding necessary to fully implement the enhanced coordination program developed under this section. The plan shall make recommendations based upon the goal of fully realizing an enhanced and

coordinated monitoring program by June 30, 2007.

**NEW SECTION.** **Sec. 4.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2001, in the omnibus appropriations act, this act is null and void.

Passed the Senate April 19, 2001.

Passed the House April 18, 2001.

Approved by the Governor May 14, 2001.

Filed in Office of Secretary of State May 14, 2001.